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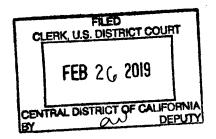
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IN THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

ERIK ROJO,

Defendant.

5:18-CR-00335-MWF-1.

Case No. 5:18-CR-00335-MWF-1
ORDER OF DETENTION

I.

On February 25, 2019, Defendant Erik Rojo aka Erik Bustillos ("Defendant") made his initial appearance in this district on the Indictment filed in the United States District Court for the Central District of California, Case No.

The Court appointed Deputy Federal Public Defender Pedro Castillo to represent Defendant.

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The Court conducted a detention hearing based on a motion by the Government [18 U.S.C. § 3142(e)] in a case allegedly involving serious risk that Defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable presumption that no condition or combination of conditions reasonably will assure the defendant's appearance as required and the safety or any person or the community [18 U.S.C. § 3142(e)(2)] ("Presumption").

II.

The Court finds that no condition or combination of conditions will reasonably assure:

- ⊠ the appearance of the defendant as required;
- \boxtimes the safety of any person or the community.

The Court bases its conclusions on the following:

As to risk of non-appearance:

• Defendant currently is serving a custodial sentence and is not expected to be released until September 2021.

As to danger to the community:

- Defendant currently is serving a custodial sentence and is not expected to be released until September 2021; and
- History of violent crimes.

III.

In reaching this decision, the Court considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and

(d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g).] The Court also considered the report and recommendation of the U.S. Pretrial Services Agency. V. IT IS THEREFORE ORDERED that Defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding. [18 U.S.C. § 3142(i).] Dated: February 26, 2019 HON. MARIA A. AUDERO UNITED STATES MAGISTRATE JUDGE